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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 10/646,353 Filing Date August 22, 2003 First Named Inventor Westhoff et al. Art Unit 2826 Examiner Name Kevin V. Quinto Attorney Docket Number ASC-058B

Total Number of Pages in This Submission		ion	Attorney Do	cket Numbe	ASC-058B		
ENCLOSURES (Check all that apply)							
Fee Transmitta	al Form	Drawing(s)			After Allowance Communication to TC		
Fee Attached		Licensing-related Papers			Appeal Communication to Board of Appeals and Interferences		
X Amendment/Reply		Petition			Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)		
After Final		Petition to Convert to a Provisional Application			Proprietary Information		
Affidavits/declaration(s)		Power of Attorney, Revocation Change of Correspondence Address			Status Letter		
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Reply to Missing Parts/ Incomplete Application		Remarks					
Reply to Missing Parts under 37 CFR 1.52 or 1.53							
	SIGNATU	JRE OF APPLICA	ANT, ATTO	RNEY, OR	AGENT		
Firm Name G0	GOODWIN PROCTER LLP						
Signature	Mooken hu	nie					
Printed name Ma	Matthew T. Currie						
Date No.	November 10, 2006			Reg. No.	58,533		

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Westhoff et al.

SERIAL NO.: 10/646,353 GROUP NO.: 2826

FILING DATE: August 22, 2003 EXAMINER: Kevin V. Quinto

TITLE: SEMICONDUCTOR HETEROSTRUCTURES HAVING REDUCED

DISLOCATION PILE-UPS AND RELATED METHODS

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 •

RESPONSE TO ELECTION REQUIREMENT

This paper responds to the Election Requirement mailed from the U.S. Patent and Trademark Office on October 11, 2006, in connection with the above-identified patent application.

The Examiner has required the Applicants to elect one of four perceived patentably distinct species:

- A. A first semiconductor layer and a compositionally uniform relaxed cap layer;
- B. A first semiconductor layer, a compositionally uniform relaxed cap layer, and a compositionally graded layer between the first semiconductor layer and the compositionally uniform relaxed cap layer;
- C. A first semiconductor layer, a compositionally uniform relaxed cap layer, and a seed layer (with uniformly distributed threading dislocations) between the first semiconductor layer and the compositionally uniform relaxed cap layer; and
- D. A first semiconductor layer, a compositionally uniform relaxed cap layer, and a seed layer (with uniformly distributed threading dislocations) between the first semiconductor layer and the compositionally uniform relaxed cap layer, and a compositionally uniform buffer layer between the compositionally uniform relaxed cap layer and the seed layer.

Applicants hereby elect, without traverse, Species A. The claims readable thereon include claims 1-12, 54, and 78. Claim 1 is a generic claim. Upon allowance of claim 1, Applicants request the consideration of claims 13-53 that also depend on claim 1.

Response to Election Requirement U.S. Serial No. 10/646,353 Page 2 of 2

Applicants respectfully request that the application now proceed promptly to examination. Applicants believe that no additional fees are necessitated by the present Response. However, in the event that any additional fees are due, the Commissioner is hereby authorized to charge any such fees to Deposit Account No. 07-1700.

If the Examiner believes that a telephone conversation with Applicants' agent would expedite allowance of this application, the Examiner is cordially invited to call the undersigned agent at (617) 570-1198.

Respectfully submitted,

monten Curie

Date: November 10, 2006

Reg. No. 58,533

Tel. No.: (617) 570-1198

Fax No.: (617) 523-1231

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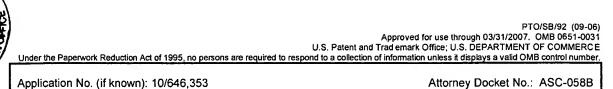
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